

Notice of Allowability

Application No.

10/053,778

Applicant(s)

SCHLUSSMAN, BRET D.

Examiner

Art Unit

Hoang-Vu A Nguyen-Ba

2122

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed 1/21/05.
2. ☒ The allowed claim(s) is/are 1-21.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date 10/18/04.
- Identifying Indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
- ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
- ☒ Examiner's Amendment/Comment
- ☒ Examiner's Statement of Reasons for Allowance
- ☐ Other _____



**ANTONY NGUYEN-BA
PRIMARY EXAMINER**

Notice to Applicants

1. This action is responsive to the amendment filed January 21, 2005.
2. Per Applicants' request, claims 1-3, 8, 11-21 have been amended. Claims 1-21 remain pending.
3. The drawings filed on April 15, 2002 are acceptable subject to correction of the informalities indicated on the previous Office action. In order to avoid abandonment of this application, correction is required in reply to the Office action. The correction will not be held in abeyance.
4. The objection to claim 16 is hereby withdrawn in view of Applicants' amendment to this claim to correct a typographical error.
5. The rejection of claims 11-21 under 35 U.S.C. § 101 because the claimed invention is directed to nonstatutory subject matter is hereby withdrawn in view of Applicants' amendments to these claims.
6. The rejections of claims 1-8, 11-18 and 21 under 35 U.S.C. § 102(a) as being anticipated by the admitted prior art (APA) and 9-10 and 19-20 as being unpatentable over APA in view of Preston, respectively are withdrawn in light of Applicants' persuasive arguments.

Examiner's Amendment

7. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Max Moskowitz, Registration No. 30,576 on March 16, 2005.

The application has been amended as follows:

Claim 3:

at line 1, after “The method of claim 1,” insert – wherein –.

Claim 9:

at line 2, before “schema during development”, replace “said” with – a –.

Claim 10:

at line 2, before “user”, replace “said” with – a –.

Claim 11:

at line 2, before “software”, insert – message interface --

at line 6, before “message interface”, insert – electronic –.

Claim 12:

at line 2, replace “data messages” with – at least one data message --;

at line 3, replace “data messages” with – at least one data message --;

at lines 4-5, replace “data message” with – at least one data message -- .

Claim 13:

at line 2, replace “data messages” with – at least one data message --;

at line 3, replace “data messages” with – at least one data message --;

at line 4, replace “data message” with – at least one data message --.

Claim 19:

at line 3, before “schema during development” replace “said” with – a -.

Claim 20:

at line 2, before “user when said source document”, replace “said” with
– a -.

Claim 21:

at line 2, before “message interface” replace “a” with – an electronic --;

at line 2, before “comprising:” replace “system” with software
application”;

at line 15, before “source code”, insert – program --;
at line 19, before “message interface comprising instructions”, insert –
electronic --.

Examiner's Statement of Reasons for Allowance

8. Claims 1-21 are allowed.

9. The following is an examiner's statement of reasons for allowance:

The prior art of record, i.e., the APA teaches a development process for message interfaces between different applications that involves the development of a “mapping document” that explains the application program interface for one or more programmers who develop program source code for the message interfaces.

Preston teaches a graphical user interface to enable a user to manipulate graphical representations of relationships between texts in order to redefine and adjust the relationships.

APA, taken individually or in combination with Preston, fails to teach or suggest, as asserted by Applicants in their Remarks filed on January 21, 2005, a single software application that is operable to develop a source document and to generate program source code by evaluating keywords in the source document.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

10. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Hoang-Vu A Nguyen-Ba whose telephone number is (571) 272-3701. The Examiner can normally be reached on Tuesday-Friday, 7:15 – 17:45.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's Supervisor, Tuan Dam can be reached at (571) 272-3695.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application should be directed to the **TC 2100 Group receptionist: 571-272-2100**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



**ANTONY NGUYEN-BA
PRIMARY EXAMINER**

Art Unit 2192

March 16, 2005